

EIGHTY-FIRST DAY

(Friday, June 8, 1951)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Martin
Bell	McDonald
Bracewell	Moffett
Bullock	Moore
Carney	Nokes
Carter	Parkhouse
Colson	Phillips
Corbin	Russell
Fuller	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Wagonseller
Lane	

Absent—Excused

Hudson Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of illness on motion of Senator Aikin.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Hardeman.

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 103, A bill to be entitled "An Act amending Chapter 506, Acts of the 45th Legislature, Regular Session, 1937, as amended, defining the term taxing units and providing a method of trial in cases involving such taxing units by adding thereto a new section providing protection to purchasers at void or defective tax

foreclosure sales; providing for subrogation to the rights of the taxing units; etc., and declaring an emergency."

S. B. No. 131, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than thirty-one thousand (31,000) and not more than thirty-one thousand one hundred and fifteen (31,115), according to the last preceding Federal census, to allow each member of such Commissioners Court certain expenses for traveling in connection with the use of his automobile on official business; requiring each member of such Commissioners Court to pay the expense of operation and repair of such automobile so used by him without further expense to the county; and declaring an emergency."

S. B. No. 467, A bill to be entitled "An Act making an appropriation to supplement the appropriation in House Bill No. 426, Fifty-second Legislature, Regular Session, 1951, to pay the salaries of the Justices, Judges, and Commissioners of the District, Criminal District, and Appellate Courts of Texas, in order to pay the additional rate of salaries as provided in Senate Bill No. 79, Fifty-second Legislature, Regular Session, 1951."

S. B. No. 471, A bill to be entitled "An Act amending that part of Article V of House Bill No. 426, Acts of the Fifty-second Legislature, 1951, making an appropriation to the A. and M. Engineering Extension Service so as to clarify the intent of the Legislature and authorize the A. and M. Engineering Extension Service to give training in industrial plants and to limit the expenditure of moneys appropriated from the General Revenue Fund of the State."

S. B. No. 472, A bill to be entitled "An Act validating, ratifying, approving and confirming all proceedings, including re-designation, validating the organization of fresh water supply districts; providing that this Act shall not validate any district or bond proceedings or bonds, the validity of which has been contested in any pending suit or litigation; and declaring an emergency."

S. B. No. 473, A bill to be entitled "An Act amending Chapter 111, Acts

1933, 43rd Legislature, first Called Session, by adding thereto a new section permitting navigation districts which have heretofore or which may hereafter adopt plans for the construction of a grain elevator to place management of said elevator in a board of trustees during the time said elevator is encumbered to secure revenue bonds issued for the acquisition thereof; validating resolutions and indentures heretofore adopted creating such boards or making provision therefore; and declaring an emergency."

S. B. No. 474, A bill to be entitled "An Act providing that in the issuance of revenue bonds for improving, enlarging and extending a waterworks system, cities may issue such bonds in two series, one of which shall be payable from and secured by a pledge of all or part of the proceeds of a water supply contract and the other to be secured by and payable from the net revenues of the waterworks system or the waterworks and sewer systems other than the proceeds of such contract; providing that any city which heretofore has held an election resulting favorably to the issuance of revenue bonds for said purposes and has entered into a contract for the sale of water may issue the bonds in two series as herein authorized, and validating such water supply contracts; requiring approval by the Attorney General and registration by the Comptroller and prescribing the effect thereof; and declaring an emergency."

S. B. No. 301, A bill to be entitled "An Act amending the Motor Fuel Tax Law, Section 2(b), Article XVII of Chapter 184, Acts of the Regular Session of the 47th Legislature, providing that the distributor of motor fuel shall make a deduction when remitting the tax to cover losses and expenses of collecting the tax levied herein and complying with the other provisions of this Article; and declaring an emergency."

S. B. No. 291, A bill to be entitled "An Act to amend Article 4590c, Title 71, Chapter 16, Revised Civil Statutes of Texas, 1925, as amended, providing for qualifications of persons seeking to obtain licenses to practice, requiring examination by the Board of Medical Examiners, and providing that a temporary license may be issued; etc., and declaring an emergency."

S. B. No. 268, A bill to be entitled "An Act amending Section 4, Chapter 107, Acts of the Forty-first Legislature, Regular Session, 1929, Sections 8 and 9 of Chapter 107, Acts of the Forty-first Legislature, Regular Session, 1929, as amended by Chapter 395, Acts of the Forty-eighth Legislature, 1943, and Sections 14, 17 and 19 of Chapter 107, Acts of the Forty-first Legislature, Regular Session, 1929, as amended by Chapter 98, Acts of the Forty-fourth Legislature, Regular Session, 1935, and Chapter 395, Acts of the Forty-eighth Legislature, 1943, relating to the regulations of the practice of pharmacy; pertaining to the officers of the State Board of Pharmacy; regulating the compounding, distribution and sale of drugs, medicines and poisons; providing for the licensing of pharmacists and requiring the making of the anti-Communist oath and affidavit and prescribing penalties; fixing an annual renewal fee and requiring renewal of anti-Communist affidavit and providing penalties; providing for suspension and reinstatement and renewal of licenses; defining terms; providing penalties; providing for severability; repealing all laws and parts of laws in conflict with this Act; and declaring an emergency."

S. C. R. No. 75, Granting Callie Matise and J. P. Ahysen of Port Arthur, Jefferson County, Texas, permission to sue the State.

S. C. R. No. 72, Granting H. H. Hodges and Edna N. Hodges of Port Neches, Jefferson County, Texas, permission to sue the State.

S. B. No. 447, A bill to be entitled "An Act making an appropriation from the General Revenue Fund for the publication of certain proposed constitutional amendments and for paying labor cost and other expenses necessary thereto; and declaring an emergency."

S. C. R. No. 77, In memory of Edgar U. Peters, of Bryan, Texas.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
June 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

H. C. R. No. 189, Pertaining to the seating of members of the Legislature when General MacArthur speaks to a Joint Session on June 13, 1951.

S. B. No. 463, A bill to be entitled "An Act creating a nine-member Game and Fish Commission; and declaring an emergency."

The House has adopted the Conference Committee report on S. B. No. 244 by a vote of 111 yeas, 0 nays.

The House has adopted the Conference Committee report on S. B. No. 292 by a viva voce vote.

H. C. R. No. 173, Authorizing closing of Capitol grounds to motor vehicles on June 13, 1951.

H. C. R. No. 166, Granting Mrs. Marjorie Byford permission to bring suit against the State.

H. C. R. No. 185, In memory of Mrs. Sally Trueheart Williams.

The House has concurred in Senate amendments to House Bill No. 828 by a vote of 101 yeas and 3 nays.

The House failed to concur in Senate amendments to H. J. R. No. 27 by vote of 99 yeas, 13 nays.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Senate Resolution 310

Senator Phillips offered the following resolution:

Whereas, It appears from present reports that the housewives of Texas, as well as of the whole nation, are seriously inconvenienced by the present government program calling for Social Security taxes on maids and domestic help; and

Whereas, Mothers and housewives are petitioning their members of Congress for relief from this serious government infringement of their rights; and

Whereas, Irreparable damage can be caused the housewives of Texas by this unfair imposition of Social Security; now, therefore, be it

Resolved, By the Senate of Texas, that it go on record as being strongly

opposed to this project, and be it further

Resolved, That the Congress of the United States, and particularly the Senators and Representatives elected from the State of Texas, be memorialized and requested to use their utmost influence in opposition to said project, and be it further

Resolved, That copies of this resolution be forwarded to members of the Texas delegation in Congress.

The resolution was read and was adopted.

(Senator Phillips in Chair)

Senate Concurrent Resolution 83

Senator Carney offered the following resolution:

S. C. R. No. 83, Suspending the Joint Rules to consider S. B. No. 463.

Be it resolved, by the Senate, the House of Representatives concurring, that the Joint Rules be suspended and they are hereby suspended to permit either House to consider Senate Bill No. 463 at any time.

The resolution was read.

On motion of Senator Carney, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 84

Senator Vick offered the following resolution:

S. C. R. No. 84, Suspending the Joint Rules to consider S. B. No. 80.

Be it resolved, by the Senate of the State of Texas, the House of Representatives concurring, that the Joint Rules and Article 3, Section 37, of the Constitution be suspended, and the same are hereby suspended, in order to permit the House of Representatives to take up and consider Senate Bill No. 80 during the last twenty-four (24) hours of the Session.

The resolution was read.

On motion of Senator Vick, and by unanimous consent, the resolution was considered immediately and was adopted.

House Concurrent Resolution 183

On motion of Senator Bell, and by unanimous consent, the Presiding

Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 183, Suspending the Joint Rules to consider S. B. No. 48 at any time.

The resolution was read and was adopted.

House Concurrent Resolution 186

On motion of Senator Bell, and by unanimous consent, the Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 186, Suspending the Joint Rules to consider S. B. No. 333 at any time.

The resolution was read and was adopted.

Conference Committee Report on Senate Bill 292

Senator Carter submitted the following Conference Committee report on S. B. No. 292:

Austin, Texas,
June 7, 1951.

Hon. Reuben Senterfitt, Speaker of the House of Representatives;

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 292, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

CARTER
McDONALD
ASHLEY
CORBIN
HARDEMAN
BRADSHAW
CHEATHAM
FISK
ZEISKE
SEWELL

On the part of the Senate.

On the part of the House.

S. B. No. 292, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund, or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before pay-

ment of any claims from the funds hereby appropriated the same shall have the approval of the State Comptroller, the Attorney General and the State Auditor; provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That the following sums of money, or so much thereof as may be necessary, be and the same are hereby appropriated to be paid out of the General Revenue Fund or such other Funds as may be designated herein for each item not otherwise appropriated, to pay miscellaneous claims against the State of Texas as herein enumerated.

Subsection A. There are hereby appropriated out of the General Revenue Fund the following amounts:

To pay Judge Roger Thurmond, Del Rio, Texas, for expenses and mileage while in exchange of Courts with Judge J. B. Randolph, Sonora, Texas\$ 11.05

To pay C. R. Sutton, Associate Justice of the Court of Civil Appeals, Eighth Supreme Judicial District, El Paso, Texas, for expenses and mileage incurred during the performance of official duties 161.08

To pay P. R. Price, Chief Justice of the Court of Civil Appeals, Eighth Supreme Judicial District, El Paso, Texas, for the expenses and mileage incurred during the performance of official duties .. 80.65

To pay H. Richard Woebse, Conroe, Texas, for services rendered as Court Reporter in the County of Polk, re: State of Texas vs. Bennie Clark, Jr. 28.60

To pay Belle Sutherland, Del Rio, Texas, for services rendered as Court Reporter in the County of Val Verde re: State of Texas vs. Thomas Dorgan 6.00

To pay A. A. Blankenship, Sherman, Texas, for refund on State tax paid erroneous-

ly on property claimed as a homestead	8.89	Appeals, Seventh Supreme Judicial District, Amarillo, Texas, for traveling expenses incurred while holding Court in the Fifth Supreme Judicial District of Texas, Dallas, Texas	68.60
To pay Mrs. Lallie Randolph, care Robert Dean, Grayson County Courthouse, Sherman, Texas, for refund of State tax paid erroneously on property claimed as a homestead	9.24	To pay W. N. Stokes, Associate Justice, Court of Civil Appeals, Seventh Supreme Judicial District, Amarillo, Texas, for traveling expenses incurred while holding Court in the Fifth Supreme Judicial District, Dallas, Texas	54.37
To pay Mrs. J. H. Holt, 615 Birge Street, Sherman, Texas, for refund on State taxes paid erroneously on property claimed as a homestead	53.10	To pay the Nueces Hotel, Corpus Christi, Texas, for refund of franchise tax paid through a mistake of fact...	42.60
To pay Mrs. T. J. Spaulding, 724 Crawford, Denison, Texas, for refund of State taxes paid erroneously on property claimed as a homestead	16.98	Subsection B. There is hereby appropriated out of the Securities Acts Fund the following amount:	
To pay estate of Hazel Amanda Fisher, Harold W. Fisher, executor, care Lynch & Reid, Dallas National Bank Building, Dallas, Texas, for refund of overpayment of inheritance tax made through a mistake of fact	118.61	To pay Marion Hubble Montgomery, 415 Westmoreland Blvd., Houston 6, Texas, for refund of oil operators license fee paid erroneously by her husband, Roderick M. Montgomery, deceased	\$ 17.00
To pay estate of Marcella Chittim, Norvel Chittim, executor, Travis Office Building, San Antonio, Texas, for refund of overpayment of inheritance tax made through a mistake of fact	1,777.72	Subsection C. There is hereby appropriated out of the Omnibus Tax Fund the following amount:	
To pay Livingston Telephone Company, Livingston, Texas, for refund of overpayment of gross receipts tax made through a mistake of fact...	103.69	To pay O. W. Mobley, 2400 Jensen, Houston, Texas, for refund of permit fee paid through a mistake of fact..	\$ 166.72
To pay Ball Mercantile Company, Tom Bean, Texas, for refund of store tax paid under duress	27.90	Subsection D. There is hereby appropriated out of Highway Fund the following amount:	
To pay Southern Union Gas Company, 1104 Burt Building, Dallas, Texas, for refund of overpayment of gross receipts tax made through a mistake of fact	6,189.74	To pay C. E. Gowdy, 5021 East Grand, Dallas, Texas, for refund of fee paid for motor transportation agent's license paid under implied duress	\$ 50.00
To pay Petrolite Corporation, Kilgore, Texas, for refund of gross production tax made through a mistake of fact..	9,407.51	Subsection E. There is hereby appropriated out of the funds against which the following original or duplicate warrants were issued and on which payment is prohibited by the Statute of Limitations, the necessary sums to pay the following amounts, opposite their names and addresses:	
To pay Houston Radio Supply Company, Labranch at Clay, Houston, Texas, for radio equipment furnished Veteran's Vocational Schools	38.94	A. L. Petersen, 4004 Alice Avenue, Austin, Texas, Warrant No. 808498 for \$17.00, Warrant No. 827749 for \$20.00 and Warrant No.	
To pay E. L. Pitts, Chief Justice of the Court of Civil			

827641 for \$20.00 making a total of\$ 57.00
 Luther Slaughter, Saint Jo, Texas, Warrant No. 82182.. 25.00
 Mrs. Dove Couch, 1206 Gregg Street, Big Spring, Texas, Warrant No. D447887 for \$19.00 and Warrant No. E005179 for \$40.50 making a total of 59.50
 John Stephenson, Route 2, Hamilton, Texas, Warrant No. 197687 33.00
 S. B. Marchant, Electra, Texas, Warrant No. 762593 58.70

Section 2. It is specifically provided herein that before any claim shall be paid from funds hereby appropriated, the same shall have the approval of the State Auditor, the State Comptroller and the Attorney General. It is further provided that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named.

Section 3. That the Comptroller of Public Accounts is hereby authorized and directed to issue a warrant or warrants on the State Treasury in favor of each of the persons, firms, or corporations named herein, in the amounts set opposite their respective names, and shall mail or deliver to each of said persons, firms, or corporations at their said respective addresses, warrant or warrants in payment of said claim or claims; and said persons, firms or corporations shall duly receipt the Comptroller for said warrant or warrants for payment of said claim or claims.

Section 4. The fact that the claims herein appropriated are past due, and the persons, firms, and corporations to whom the same are payable are being deprived of the proceeds thereof, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Conference Committee Report on Senate Bill 286

The Senate resumed consideration

of unfinished business, same being the Conference Committee Report on S. B. No. 286 (the report having been submitted and read on yesterday).

Question — Shall the Conference Committee Report on S. B. No. 286 be adopted?

Senator Hardeman moved the previous question on the motion to adopt the Conference Committee Report on S. B. No. 286 and the motion was duly seconded.

The previous question was ordered by the following vote:

Yeas—13

Ashley	Lock
Bracewell	Martin
Bullock	Moffett
Colson	Shofner
Hardeman	Strauss
Hazlewood	Tynan
Lane	

Nays—12

Aikin	Nokes
Corbin	Parkhouse
Kelley of Hidalgo	Phillips
Kelly of Tarrant	Russell
McDonald	Vick
Moore	Wagonseller

Absent

Bell	Carter
Carney	Fuller

Absent—Excused

Hudson	Weinert
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The Conference Committee Report on S. B. No. 286 was then adopted.

Record of Vote

Senator Wagonseller asked to be recorded as voting "nay" on the adoption of the Conference Committee Report on S. B. No. 286.

House Concurrent Resolution 173

On motion of Senator Bell, and by unanimous consent, the Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 173, Authorizing the closing of the Capitol grounds to motor vehicles on June 13, 1951.

The resolution was read and was adopted.

House Concurrent Resolution 185

On motion of Senator Phillips, and by unanimous consent, the Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 185, In memory of Mrs. Sally Trueheart Williams.

The resolution was read.

On motion of Senator Phillips, the resolution was amended to add the names of the Lieutenant Governor and all the Senators as signers thereof.

The resolution, as amended, was adopted.

Conference Committee Report on Senate Bill 244

Senator Strauss submitted the following Conference Committee Report on S. B. No. 244:

June 8, 1951.

Hon. Ben Ramsey, President of the Senate;

Hon. Reuben Senterfitt, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. 244, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

STRAUSS
SHOFNER
BULLOCK
BELL
BRACEWELL
MOORE
WOODRUFF
YEZAK
MILLER

On the part of the Senate.

On the part of the House.

S. B. No. 244, A bill to be entitled "An Act authorizing the Texas National Guard Armory Board to sell certain land in Harris County, Texas, to the highest bidder for cash; providing for notice of sale; providing for rejection of bids; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. The Attorney General,

Commissioner of the General Land Office and Chairman of the Texas National Guard Armory Board are hereby authorized to sell within ninety (90) days from the effective date of this Act to the highest bidder for cash all of that certain tract of land in Harris County, Texas, described in deed from Houston Cavalry Club to said Board, dated August 22, 1947, of record in Volume 1677, page 419, Deed Records of Harris County, Texas, and being more particularly described as follows to-wit:

Ten acres of land out of western part of East $\frac{1}{2}$ of a survey originally granted to James Wharton, NSBB about 6 miles West from Courthouse in City of Houston, Harris County, Texas;

Beginning at a stake in the W. line of E. $\frac{1}{2}$ of Wharton grant and 30' N. of the NWS of a survey of 10 acres previously sold to Joseph Cyrus;

Thence N. 210 vrs. along east line of Wilson's land to a stake in the prairie;

Thence E. 268 $\frac{3}{4}$ vrs. to a stake;

Thence S. 210 vrs. to a stake on N. side of a road 30' wide;

Thence W. 268 $\frac{3}{4}$ vrs. along N. side of said road to place of beginning and being same property described in Volume 726, page 186 of the Deed Records of Harris County, Texas, and Volume 1006, page 685 of the Deed Records of Harris County, Texas.

Sec. 2. Before any such sale is made, notice thereof shall be given in some daily newspaper of general circulation in Harris County, Texas, once each week for three consecutive weeks, which said notice shall describe the land, terms of sale, call for sealed bids and give the time when and place where such bids will be received and opened. Each bid shall be accompanied by a certified check for ten (10%) per cent of the amount bid.

Sec. 3. The Board shall reject any and all bids which are received of less than Twenty-five Thousand (\$25,000.00) Dollars, and it shall be so stated in the notice of sale; provided that the proceeds from such sale are hereby appropriated to the Texas National Guard Armory Board to be used for the use and benefit of the Texas National Guard Armory Board.

Sec. 4. The fact that the State can obtain a valuable consideration for the land described in Section 1 of this Act if such land be sold at an early

date, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended; and said rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

House Concurrent Resolution 166

On motion of Senator Corbin, and by unanimous consent, the Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 166, Granting Mrs. Marjorie Byford permission to sue the State.

The resolution was read.

Senator Hardeman raised a point of order against consideration of the resolution as it violated Senate Rule 37 and the joint rules of the House and Senate.

The Presiding Officer (Senator Phillips in the Chair) sustained the point of order.

At Ease

The Presiding Officer at 10:12 a. m. announced that the Senate would stand at ease subject to the call of the Chair.

In Legislative Session

The President called the Senate to order as in Legislative Session at 10:45 o'clock a. m.

Senate Resolution 311 (Caucus Report)

Senator Aikin offered the following resolution:

Austin, Texas,
June 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: At a caucus held on June 6 and attended by 30 members of the Senate, the following recommendations were made, to-wit:

Be it resolved by the Senate,

That the following named employees be retained for a number of days at the per diem salary specified in each

case to perform such duties as may be required of them in connection with the business of the State, viz.:

The Secretary of the Senate shall be retained during the interval between adjournment of this session and convening of the next session of the Legislature, for which services she shall receive the same per diem she now receives, and in addition thereto, she and the Lieutenant Governor shall be furnished postage, telegraph, telephone, express and all other expenses incident to the office.

The Assistant Secretary of the Senate shall be employed by the Secretary of the Senate and be retained during the interval between adjournment of this session and the convening of the next session of the Legislature with a salary of \$10.00 per day.

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session and shall also employ some suitable person who shall index and annotate the Legislative Manual for the Senate of the Fifty-second Legislature and provide sufficient copies thereof to be paid for out of the Contingent Expense Fund for the use of the members of the Senate.

The Warrant Clerk shall be retained for a period of 10 days at a salary of \$8.00 per day.

The Calendar Clerk shall be retained for 15 days at a salary of \$10.00 per day.

The Journal Clerk, Mrs. Minnie Meier, shall be retained for a period not exceeding 150 days at \$11.00 per day, and Miss Josephine Russell, Assistant Journal Clerk, shall be retained for not exceeding 150 days at \$10.00 per day.

The Sergeant-at-Arms shall be retained for the interim at the same pay he now receives, and two assistants for 10 days at \$8.50 per day. The Lieutenant Governor may employ or retain at \$4.50 per day as many porters as may be necessary and a head porter at \$7.50 per day.

The Enrolling and Engrossing Clerk shall be retained seven days at \$15.00 per day, and three assistants to assist her shall be retained for seven days at \$8.00 per day.

The private secretary of each Senator may be retained for seven days at \$10.00 per day to perform such duties as may be required of them.

The Postmistress shall be retained six days at \$10.00 per day, after which time the Secretary of the Senate shall attend to all mail of the Senators.

The Mailing Clerk of the Senate shall be retained for six days at \$10.00 per day and one assistant for four days at \$8.00 per day.

The Chairman of the Senate Committee on Contingent Expenses is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the Regular Session of the Fifty-second Legislature. He shall also examine records and accounts payable out of the Contingent Expense Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he shall be entitled to receive his actual and necessary expenses incurred while in the performance of such duties during the interim.

The Lieutenant Governor shall appoint a Custodian of the Senate to perform such services as the Lieutenant Governor or the Secretary of the Senate may direct and the Custodian to receive the sum of \$7.00 per day.

Resolved, That there shall be printed 250 volumes of the Senate Journal of the Regular Session of the Fifty-second Legislature, and when completed, 200 copies shall be bound in buckram and delivered to the Secretary of State and one volume thus bound shall be forwarded by the Secretary of State to each member of the Senate and House of Representatives, to the Lieutenant Governor and Secretary of the Senate, and 25 such copies shall be delivered to the Secretary of the Senate, and the remaining copies shall be retained by the Secretary of State. The printing of such Senate Journals shall be done in accordance with the provisions of this resolution under supervision of the Chairman of the Committee on Con-

tingent Expense, provided further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Journals until corrected and published in accordance with the pre-existing law and as finally approved by the Chairman of the Committee on Contingent Expense of the Senate. When the accounts have been certified to by the Chairman of the Senate Committee on Contingent Expense, said accounts shall be paid out of the Contingent Expense Fund of the Regular Session of the Fifty-second Legislature; and be it further

Resolved, That all salaries herein authorized to be incurred and paid for shall be paid out of the per diem and contingent expense fund of the Regular Session of the Fifty-second Legislature upon warrants signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon warrants signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expenses; and be it further

Resolved, That the cash balance on hand under the provisions of S. R. No. 15 of the Forty-seventh Legislature be turned over to the Secretary of the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said resolution; and be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$4.50 per day; and be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expense shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expense, the actual expenses of members serving on interim committees whose expenses are not otherwise provided for shall be paid from the Contingent Expense Fund.

The resolution was read and was adopted.

Senate Resolution 312

Senator Hardeman offered the following resolution:

Whereas, Honorable Charles Herring of Austin, Texas, has served faithfully and efficiently as Parliamentarian of the Senate during the Fifty-second Legislature; and

Whereas, He has recently been nominated by the President of the United States to be United States District Attorney for the United States District Court for the Western District of Texas; and

Whereas, It is the desire of the Senate to extend its congratulations and best wishes to Mr. Herring in his new position and to express its appreciation for his service to the Senate; now, therefore be it

Resolved, By the Senate of Texas, that Hon. Charles Herring be and he is hereby extended the congratulations and best wishes of the Senate upon his nomination as United States District Attorney for the Western District of Texas.

**HARDEMAN
MARTIN**

Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Bullock, Carney, Carter, Colson, Corbin, Fuller, Hazlewood, Hudson, Kelley of Hidalgo, Kelly of Tarrant, Lane, Lock, McDonald, Moffett, Moore, Nokes, Parkhouse, Phillips, Russell, Shofner, Strauss, Tynan, Vick, Wagonseller, Weinert.

The resolution was read.

On motion of Senator Parkhouse, and by unanimous consent, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
June 8, 1951.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 83, Suspending the joint rules.

The House has concurred in Senate amendments to House Bill No. 434 by viva voce vote.

S. C. R. No. 84, Suspending joint rules in order that the House may consider S. B. No. 80 during last 24 hours.

S. B. No. 333, A bill to be entitled "An Act repealing Senate Bill 33, Chapter 15, Acts of the Forty-sixth Legislature, Regular Session, 1939, codified as Article 7363a of Vernon's Texas Civil Statutes; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

**Election of President Pro Tempore
Ad Interim**

The President announced as the next order of business the election of the President pro tempore ad interim.

Senator Aikin placed in nomination the name of the Honorable Howard A. Carney of Cass County, Texas, for President pro tempore ad interim.

Senators Ashley, Bullock, Lane, Hardeman, Bracewell, and Moffett seconded the nomination of Senator Carney for President pro tempore ad interim.

The President appointed Senators Moffett and Fuller as tellers to take up and count the ballots. The tellers reported that Senator Carney had received 28 votes, with one present and not voting. The President declared Senator Carney duly elected as President pro tempore ad interim and appointed Senators Aikin, Bullock, Phillips, Lane and Shofner to escort Senator and Mrs. Carney to the President's stand.

The President administered the constitutional oath of office to the Honorable Howard A. Carney, and then presented Senator Bullock, the President pro tempore of the Regular Session of the Fifty-second Legislature. Senator Bullock presented Senator Carney to the Senate as the President pro tempore ad interim.

Senator Carney addressed the Senate briefly and thanked them for the honor bestowed on him.

The President then presented Mrs. Carney to the Senate.

(Senator Carney in Chair)

House Concurrent Resolution 189

The Presiding Officer laid before the Senate for consideration at this time the following resolution:

H. C. R. No. 189, Pertaining to the seating of members of the Legislature when General MacArthur speaks to a Joint Session on June 13, 1951.

The resolution was read and was adopted.

At Ease

On motion of Senator Aikin, the Senate at 11:15 o'clock a. m. agreed to stand at ease subject to the call of the Chair.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:50 o'clock a. m.

Senate Resolution 313

Senator Aikin offered the following resolution:

Be it resolved, by the Senate, that the President appoint a committee of three to notify the Governor that the Senate has completed its labors and is ready to adjourn sine die.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Aikin, Moffett and Russell as a committee to notify the Governor.

Senate Resolution 314

Senator Aikin offered the following resolution:

Be it resolved, by the Senate, that the President appoint a committee of three to notify the House of Representatives that the Senate has completed its labors and is ready to adjourn sine die.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Parkhouse, Wagon-seller and Carter as a committee to notify the House of Representatives.

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after the captions had been read the following enrolled bills and resolutions:

H. C. R. No. 151, Granting permission to James E. Ellis to sue the State of Texas.

H. C. R. No. 169, Granting permission to make certain changes in H. J. R. No. 6.

H. C. R. No. 108, Requesting the Board for Texas State Hospitals and Special Schools to take the necessary steps to meet the minimum standards required in order to qualify the said hospitals and special schools operated by the State of Texas to the necessary standards for residency, etc.

H. C. R. No. 181, Suspending joint rules to consider S. B. No. 467.

H. C. R. No. 177, Authorizing the correction of S. B. No. 400.

H. C. R. No. 174, Suspending the joint rules of the House and Senate so that the House may take up and consider H. B. 559 at any time.

H. C. R. No. 176, Instructing the Enrolling Clerk of the House to amend the caption of H. B. 666 to conform to the body of the bill.

H. C. R. No. 179, Authorizing the Enrolling Clerk of the Senate to make certain corrections in S. B. No. 236.

H. C. R. No. 155, Memorializing Congress and other necessary agencies to not cut the production of steel which may be used for the production of petroleum.

H. C. R. No. 161, Allows East Texas State College to accept 1,100 acres of land from Federal Government.

H. C. R. No. 52, Granting the City of Austin an easement.

H. C. R. No. 50, Dedicating and granting to the City of Austin certain easement for street and boulevard purposes.

H. B. No. 121, A bill to be entitled "An Act amending Chapter 8, Article 149 of the Revised Civil Statutes of Texas, 1925, as amended, by adding

a new article to be designated Article 149j, and declaring an emergency."

H. B. No. 824, A bill to be entitled "An Act regulating the taking of minnows in Wilbarger County; providing that nothing in this Act shall prohibit the transportation for personal use of two hundred (200) minnows or less from Wilbarger County to another county; and providing that nothing shall prohibit transportation of minnows from Wilbarger County to another county when said minnows have been raised in a minnow hatchery in this State; defining a minnow hatchery in this State; defining a minnow hatchery; providing a penalty; and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act making an additional appropriation to the State Department of Agriculture supplementing certain funds for the biennium ending August 31, 1951, from the Special Pure Bred Cottonseed Inspection Fund and out of Agricultural Field Seed Fund, and declaring an emergency."

H. B. No. 826, A bill to be entitled "An Act authorizing independent school districts of common school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the districts or city, and declaring an emergency."

H. B. No. 584, A bill to be entitled "An Act regulating killing of deer in Panola, Sabine, San Augustine, Jasper and Shelby counties, and declaring an emergency."

H. B. No. 666, A bill to be entitled "An Act providing for a marketing news service for farmers and other interested parties, and declaring an emergency."

H. B. No. 160, A bill to be entitled "An Act to amend Article 6475, Revised Civil Statutes of Texas, and declaring an emergency."

H. B. No. 815, A bill to be entitled "An Act making an emergency appropriation of (\$500.00) five hundred dollars out of any funds in the State Treasury not otherwise appropriated to be expended by the Texas State Parks Board for reconditioning and

repairing the Frio State Park in Frio County, Texas, and declaring an emergency."

H. B. No. 823, A bill to be entitled "An Act amending Article 111 of H. B. No. 426, Acts of the 52nd Legislature, 1951, Item 40 of the appropriation to the Texas Liquor Control Board so as to supplement and increase the appropriation in said Item 40 for payment of salaries of deputy supervisors during each year of the biennium ending Aug. 31, 1951, and declaring an emergency."

H. B. No. 330, A bill to be entitled "An Act declaring it to be a misdemeanor for a person to keep, occupy, or use, or permit to be kept, etc., establishment or apparatus for playing policy, etc., and declaring an emergency."

H. B. No. 822, A bill to be entitled "An Act authorizing incorporated cities and towns which own the portion of an international toll bridge over the Rio Grande River which is situated within the United States to issue bonds payable from the net revenues derived from the operation of the bridge for the purpose of repairing or improving the bridge, acquiring approaches thereto, and constructing buildings to be used in connection therewith, or for any of such purposes; providing the method for the issuance of such bonds; providing that where there are outstanding revenue bonds payable from the net revenues derived from the operation of such bridge, additional revenue bonds may be issued under certain conditions; providing a savings clause; and declaring an emergency."

H. J. R. No. 6, Proposing an amendment to the Constitution of the State of Texas amending Article III, Section 51a, providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to bona fide citizens of the United States and residents of the State of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of sixteen (16) years, and needy children under the age of sixteen (16) years; etc.; and declaring an emergency."

H. B. No. 62, A bill to be entitled "An Act authorizing the Board of Directors of A. & M. College to establish

an Agricultural Experimental Station in the northwest region of Texas, and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act amending House Bill 97, Acts of the Fifty-first Legislature, Regular Session, 1949, providing grants to soil conservation districts; re-appropriating the unexpended balances of all money appropriated to soil conservation districts out of the general fund of the State Treasury by said House Bill No. 97; etc.; and declaring an emergency."

H. B. No. 590, A bill to be entitled "An Act amending Article 483 of the Penal Code of the State of Texas, 1925, relating to unlawfully carrying arms, so as to provide that any person who shall carry on or about his person, saddle or in his saddlebags any device of any description designed for the purposes of offense or defense shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than Five Hundred Dollars (\$500) or by confinement in jail for not less than one (1) month nor more than one (1) year; and declaring an emergency."

H. J. R. No. 22, Proposing an Amendment to the Constitution of Texas by adding to Article XVI thereof a new section to be numbered 63 and authorizing the Legislature to provide for a statewide system of retirement and disability pensions for appointive officers and employees of the several counties of this State; providing that participation therein by counties shall be voluntary, and authorized by the qualified voters of such county, and providing that administration of said system may be committed to the same body set up to administer the statewide municipal retirement system authorized under Section 51f of Article III.

H. B. No. 619, A bill to be entitled "An Act providing the procedure on interstate extradition, defining Governor, executive authority and state; prescribing the duty of Governor in interstate extradition, and declaring an emergency."

H. C. R. No. 183, Suspending rules in order that S. B. No. 48 may be considered.

H. C. R. No. 49, Dedicating and granting to the City of Austin certain

easement for street and boulevard purposes.

H. C. R. No. 173, Authorizing closing of Capitol grounds to motor vehicles on June 13, 1951.

H. C. R. No. 187, Determining legislative intent as to H. C. R. No. 38.

H. C. R. No. 184, Suspending rules to take up H. B. No. 723.

H. C. R. No. 182, Suspending rules in order that Senate Bill No. 238 may be considered.

H. C. R. No. 186, Suspending joint rules in order to take up S. B. No. 333.

H. B. No. 285, A bill to be entitled "An Act to provide revenues for the payment of old age assistance, aid to destitute children, aid to needy blind, obligations of the State under Teachers Retirement Act, and for the economical and efficient operation of the State Government, etc.; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act amending Article 7151, Chapter 6, Title 122, of the Revised Civil Statutes of Texas, 1925, to provide for the proration of taxes to the owner of property for the portion of the year prior to condemnation by any body politic or governmental agency in whose ownership the property is exempt from taxes; and declaring an emergency."

H. B. No. 219, A bill to be entitled "An Act providing for drivers responsibility; and declaring an emergency."

H. B. No. 803, A bill to be entitled "An Act making a forfeiture of hunting, fishing, etc., license laws upon conviction of violation of laws, and declaring an emergency."

H. B. No. 814, A bill to be entitled "An Act, validating the establishment and creation of all school districts, and declaring an emergency."

H. B. No. 828, A bill to be entitled "An Act making an appropriation of the sum of Seventy-Five Thousand Dollars or so much thereof as may be necessary out of any funds in the State Treasury not otherwise appropriated, etc., to pay contingent expenses, and declaring an emergency."

H. B. No. 434, A bill to be entitled "An Act defining a bomb, providing a penalty for manufacturing, owning or possessing a bomb, and declaring an emergency."

S. B. No. 400, A bill to be entitled "An Act amending Section 1-a of Article 2350, Revised Civil Statutes of Texas, 1925, as amended, so as to provide for the payment of actual traveling expenses of county commissioners in counties of 26,600 to 26,700 population and said county bordering on two states, while traveling inside or outside of the county on official business, provided that the traveling expenses of any county commissioner shall never exceed Eight Hundred (\$800.00) Dollars in any one year; repealing all laws in conflict herewith to the extent of such conflict; and declaring an emergency."

S. B. No. 244, A bill to be entitled "An Act directing the Texas National Guard Armory Board to sell certain land in Harris County, Texas, to the highest bidder for cash; providing for notice of sale; providing for rejection of bids; and declaring an emergency."

S. B. No. 463, A bill to be entitled "An Act creating a nine member Game and Fish Commission; and providing for an executive secretary, assistant executive secretary to be appointed by the Commission and providing for all necessary game and fish wardens, division heads and other employees of said Game and Fish Commission; providing necessary appropriation out of the State Treasury; providing time for Act taking effect; repealing Article 978f of Penal Code of Texas and all other laws in conflict herewith; providing a saving clause; and declaring an emergency."

S. B. No. 231, A bill to be entitled "An Act to amend Article 1350, as amended, of Title 17, Chapter 3, Penal Code of the State of Texas of 1925; repealing Articles 1344, 1345 and 1346, Penal Code of the State of Texas, and all other laws or parts of laws in conflict herewith to the extent of such conflict only; providing a saving clause; providing a severability clause; and declaring an emergency."

S. B. No. 286, A bill to be entitled "An Act authorizing the governing

boards of Texas State University for Negroes and Prairie View Agricultural and Mechanical College to prescribe courses of study and degrees to be offered; containing a repealing clause; and declaring an emergency."

S. B. No. 333, A bill to be entitled "An Act repealing Senate Bill 33, Chapter 15, Acts of the Forty-sixth Legislature, Regular Session, 1939, codified as Article 7363a of Vernon's Texas Civil Statutes; and declaring an emergency."

S. B. No. 453, A bill to be entitled "An Act amending Chapter 9 of Title 71 of the Revised Civil Statutes of Texas to define and regulate the practice of dental hygiene, permitting such practice in schools, hospitals, State institutions and public health clinics, vesting regulatory power in the Texas State Board of Dental Examiners, providing for examination, the issuance, renewal, suspension, etc., and declaring an emergency."

S. C. R. No. 84, Suspending joint rules in order that the House may consider S. B. No. 80 during last 24 hours.

S. C. R. No. 83, Suspending joint rules in order to take up and consider S. B. No. 463.

H. C. R. No. 185, In memory of Mrs. Sally Peterson Trueheart Williams.

H. C. R. No. 189, Pertaining to the seating of members of the Legislature when General MacArthur speaks to a Joint Session on June 13, 1951.

S. B. No. 292, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Revenue Fund or such other funds as may be designated herein for each item, not otherwise appropriated; providing that before payment of any claims from the funds hereby appropriated the same shall have the approval of the State Comptroller, the Attorney General and the State Auditor; provided further that any claim involving the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named, and declaring an emergency."

S. B. No. 236, A bill to be entitled "An Act arranging the Statutes of

this State affecting the business of insurance in appropriate chapters and articles into a consistent whole and under a single Code, making such editorial changes in context as are necessary to that accomplishment, preserving the substantive law as it existed immediately before passage of this Act, and containing all details appropriate to achievement of those purposes; providing for severability of the different articles or parts of articles so that unconstitutionality of one or more shall not affect the remainder of the Act; repealing in Section 4 thereof certain Statutes and Acts together with all laws or parts of laws in conflict herewith; and declaring an emergency."

Governor Notified

The committee to notify the Governor that the Senate is ready to adjourn sine die appeared at the bar of the Senate and Senator Aikin, for the committee, reported that the duty assigned it had been performed.

House Notified

The committee to notify the House that the Senate is ready to adjourn sine die appeared at the bar of the Senate and Senator Parkhouse, for the committee, reported that the duty assigned it had been performed.

Senate Notified

A committee from the House of Representatives appeared at the bar of the Senate, and Mr. Berlin, for the committee, notified the Senate that the House had completed its labors and was ready to adjourn sine die.

Adjournment Sine Die

At 12:00 o'clock m., the President announced the hour fixed by concurrent action of the House and the Senate for final adjournment of the Regular Session of the Fifty-second Legislature had arrived.

Senator Lock moved that the Senate adjourn sine die.

The motion prevailed and the President declared the Senate adjourned sine die.

Joint Session To Hear an Address by General Douglas MacArthur

Pursuant to the provisions contained in Senate Concurrent Resolu-

tion 69, the State Senate and the House of Representatives met in Joint Session on Wednesday, June 13, 1951, at 3:00 o'clock p. m. to hear an address by General Douglas MacArthur at the south entrance of the Capitol Building.

Lieutenant Governor Ben Ramsey and Speaker Reuben Senterfitt occupied seats on the rostrum prepared for the occasion.

The members of the Senate and the members of the House occupied seats directly in front of the rostrum.

The President of the Senate called the Senate to order and announced a quorum of the Senate present.

Speaker Senterfitt called the House of Representatives to order and announced a quorum of the House present.

General MacArthur and party were announced and the General accompanied by Mrs. MacArthur and son, Arthur MacArthur, Governor Allan Shivers and Mrs. Shivers, Major General Courtney Whitney, Colonel Sidney Huff, Lieutenant Colonel Story, General K. L. Berry, Adjutant General of Texas, Mrs. Ben Ramsey, wife of the Lieutenant Governor; Mrs. Reuben Senterfitt, wife of the Speaker of the House; General Jonathan Wainwright and Mrs. Wainwright, General Walter Krueger and Mrs. Krueger and General Leroy Lutes were escorted to seats prepared for them on the rostrum by Senators Bell, Phillips, Ashley, Kelly of Tarrant and Bracewell on the part of the Senate and Representatives Stewart, Moore of Harris, Williamson, Paxton, Smith of Hays and Warden on the part of the House.

Reverend James H. Clark, Chaplain of the House of Representatives, delivered the invocation.

Speaker Senterfitt announced the purpose of the Joint Session and presented His Excellency, the Governor of Texas, the Honorable Allan Shivers.

Governor Shivers presented General of the Army Douglas MacArthur to the Joint Session and General MacArthur addressed the Joint Session as follows:

It is with a sense of high honor that I appear on this rostrum to address you — the elected represent-

atives of the great State of Texas — a state which has contributed so abundantly to American progress and in which I feel so sincere a personal interest. I have lived here in my younger days and observed at first hand the greatness of your people. It provides me the opportunity I have long wished, personally to pay tribute to that host of Texas sons who by valor and devotion on many battlefields have done so much to bring victory to American arms. Their characteristic independence of spirit, invincibility of will and unswerving fidelity have reflected the nobility of their Texas homes and built a tradition which all Americans now cherish as their own. In the Korean struggle, led, until he gave his life at the front, by that intrepid military leader and distinguished son of Texas, Gen. Walton H. Walker, they have maintained this tradition in every way and your pride in them may be very real and very great. I have not infrequently found in the forefront of the fight a small flag of Texas planted by some Texas boy to dramatize his love and veneration for this land of his fathers.

As I appear before you a great debate over our political and military policy is stirring the nation. The issue which has been raised is a simple one but the potentiality of its consequence is momentous. What is our policy for Korea? On this issue rests not only the lives of countless American boys and their allies committed to fight in that distant land but, as well, the future security of our own country and the advance of our national leadership in the affairs of the world.

In the atmosphere of contention which has existed following my recall I have been peculiarly gratified by your invitation to address you as it has raised the issue to the nonpartisan level its character truly demands and reflects the high statesmanship which actuates your own consideration of the problem.

Policy Departure

I have been amazed, and deeply concerned, since my return, to observe the extent to which the orientation of our national policy tends to depart from the traditional courage, vision and forthrightness which has animated and guided our great leaders of

the past, to be now largely influenced, if not indeed in some instances dictated, from abroad and dominated by fear of what others may think or others may do. Never before in our history can precedent be found for such a subordination of policy to the opinions of others with a minimum regard for the direction of our own national interest. Never before have we geared national policy to timidity and fear. The guide, instead, has invariably been one of high moral principle and the courage to decode great issues on the spiritual level of what is right and what is wrong. Yet, in Korea today, we have reached that degree of moral trepidation that we pay tribute in our power, and surrender military advantages, in apparent hope that in some nebulous way by so doing a potential enemy will be coerced to desist from attacking us.

In justification for this extraordinary action it is pleaded by those responsible for the condition of our national defense that we are not prepared to fight. I can not accept such an estimate. I believe that, much as we abhor war and should do anything honorable to avoid it, our country has the inherent strength to face and defeat any who may attack. I should be recreant, moreover, to my obligations of citizenship did I fail to warn that the policies of appeasement on which we are now embarked carry within themselves the very incitation to war against us. If the Soviet does strike it will be because of the weakness we now display rather than the strength we of right should display.

If, however, we be so weak in fact, that we must cower before the verbal brandishments of others, the responsibility for such weakness should be a matter of the gravest public concern. Who, we should ask, is responsible for the reduction of our military strength from the greatest on earth at war's end to that they now estimate is inadequate even to support our moral commitments? Who plunged us into the Korean War and assumed other global commitments in the face of such alleged without reckoning and being ready to meet their potential consequences? Who is responsible for so grave a past failure which has brought our nation to so ignominious a pass that we must plead weakness before our fellow nations? These are questions to which the nation

should address itself, if it would be in position to assess the policy judgments now in being and yet to be formulated. For it is elementary that if the defense of these policies is valid and we are indeed as weak as is pleaded, they who bear full responsibility for such weakness and they who formulate present policy are one and the same. Can we therefore accept their present and future judgments in the light of past failures without the most serious misgivings as to our future fate as a free and sovereign nation?

Bulldozed by Soviets

I am no seer to predict whether or not the Soviet aims at ultimately provoking and engaging in a global struggle. I give him infinitely more credit, however, than to believe he would embark upon so reckless and ill-conceived a course. Up to now, there is no slightest doubt in my mind but that he has been engaging in the greatest bulldozing diplomacy history has ever recorded. Without committing a single soldier to battle he has assumed direct or indirect control over a large part of the population of the world. His intrigue has found its success, not so much in his own military strength nor, indeed, in any overt threat of intent to commit it to battle, but in the moral weakness of the free world. It is a weakness which has caused many free nations to succumb to and embrace the false tenets of Communist propaganda. It is a weakness which has caused our own policy makers, after committing America's sons to battle, to leave them to the continuous slaughter of an indecisive campaign by imposing arbitrary restraints upon the support we might otherwise provide them through maximum employment of our scientific superiority, which alone offers hope of early victory. It is a weakness which now causes those in authority to strongly hint at a settlement of the Korean conflict under conditions short of the objectives our soldiers were led to believe were theirs to attain and for which so many yielded their lives.

In every war in which we have heretofore engaged, we have counter-balanced manpower with the doctrine of attack through our matchless scientific development. Yet, in Korea, we are admittedly applying the doctrine of passive defensive which in all history has never won a war—a

doctrine which has been responsible for more military disaster than all other reasons combined. Does experience teach us nothing? Has shifting expediency replaced logical reasoning?

Of this we may be sure. The Soviet's moves, should it actually want war, will be dictated by its own assessment of the relativity or military force involved, actual and potential. It will not be so much influenced by the destruction it believes itself capable of inflicting upon us, as by the punishment it knows it itself would have to accept should it embark upon so reckless an adventure. It will certainly not be influenced away from war by the blood tribute we are now paying in Korea to encourage it to preserve the peace. This elementary logic, coupled with our own predominant superiority in many scientific facets of modern war, is ignored by those who seek support for our present unrealistic policies by the spread of a psychosis of fear throughout the land. They say that by meeting force with adequate counterforce in Asia we would expand the war and threaten the involvement of Europe, while painting a grim picture of the consequent devastation of our great cities.

Nothing could be more unrealistic nor further from the truth. Our action would not be aimed at expanding but at ending the war and thus preventing its expansion. Our purpose would not be conquest but at neutralizing such of the enemy's offensive power as is already hurled against us. Europe's very survival is dependent upon our gaining a decisive victory in Asia where Communism has already thrown down the gage of battle.

New Isolationists

By confining their concern so assiduously to one area and ignoring the global nature of the Communist threat and the need to stop its predatory advance in other areas, they have become the "isolationists" of the present time. And it is a form of isolation which offers nothing but ultimate destruction. Our first line of defense for Western Europe is not the Elbe, it is not the Rhine — it is the Yalu. Lose there and you render useless the effort to implement the North Atlantic Pact or any other plan for regional defense. What gullibility to think the free world would fight for

freedom in Europe after refusing to do so in Asia. I am as intensely interested in saving Western Europe as any other threatened area, where the people show the will and the determination to mount their own full defensive power, but I believe the issue to be world-wide and not confined to any special privileged area.

I believe the free world has the strength to meet the enemy wherever he may threaten, be it on one front, two fronts, or many fronts. To hold the contrary—to say that freedom has not strength enough to meet Communism wherever its predatory forces may attack is an admission, even before the battle starts, of defeatism, without historical parallel. Can anyone seriously believe that as we now build our own normal military strength, the Soviet will not do all in its power to match our increase with a corresponding one of its own? Time is not as some would have us believe, invincibly on our side, as in the field of atomic development, where we now so predominantly lead, the gap between the Soviet and ourselves may well decrease with each passing year.

The existing policy of appeasement is defended on the ground that if our military reaction be conventional and we carry the war to the enemy in a manner calculated to destroy his capability of killing our sons and those whose protection we have assumed, we would incur the wrath of the Soviet and provoke the start of a world at war. No argument could be more fallacious. The surest way to insure World War III is to allow the Korean conflict to continue indecisively and indefinitely. The surest way, the only way, to prevent World War III is to end the Korean conflict rapidly and decisively. Like a cancer, the only cure is by major operation. Failure to take such decisive action—as in cancer—is but to invite infection of the entire blood stream. Yet the present plan of passive defense envisages the indefinite continuance of the indecisive stalemate with its compounding losses, in the vain hope that the enemy will ultimately tire and end his aggression.

Termed Naive

This, or that at some indefinite future date we will adopt the very policies of positive action designed to win the war and secure our stated objectives, which are now depreciated and decried. Could anything be more naive,

more unrealistic, more callous of our mounting dead? Could there be any greater inconsistency than the argument pursued that we can defeat Red China in Korea without risk of Soviet intervention but our attack upon its sustaining bases across the Yalu would render intervention inevitable? The defenders of the existing policy vacuum are the same who suddenly and without slightest preparation or seeming consideration of the military and political potentialities, threw us into the conflict. These are the very men who, in the face of mounting peril, deliberately demobilized us at the peak of our military strength, and then at the lowest point of our disarmament with no slightest preparation or word of warning, plunged us into a war which they now seem afraid to win.

No words can excuse or relieve the enormous disaster to the Korean people we are pledged to protect, inherent in a policy which arbitrarily confines the full impact of all our air and naval bombardment to the Korean Peninsula. The protection we offer these unfortunate people, indeed, may well resolve itself into the complete obliteration. To what greater depths might morality possibly sink? Mighty efforts are under way to conceal these facts. But the march of events and the common sense of the American people can not fail ultimately to reveal the full truth.

The very fate of the United Nations rests upon the outcome of the struggle to consummate its commitments to establish under its auspices and authority a "unified and democratic government in the sovereign State of Korea." There can be no compromise with the moral principles which actuated the decisions underlying this United Nations objective. There can be no short cut to its achievement and no turning back. To hold now that anything less than its full accomplishment would satisfy our political and military requirements would be to repudiate the great sacrifices selflessly made and the host of those who died that such an objective might be realized. Anything short of that objective would destroy for all time the effectiveness of the United Nations as an instrumentality for international persuasion.

On September 2, 1945, after taking the surrender of Japan in Tokyo Bay, I warned of the need for a "spiritual

recrudescence and improvement of human character that will synchronize with our almost matchless advances in science, art, literature and material and cultural development." Such an improvement is slow to come to pass. To the contrary, there is unmistakable evidence of a tendency toward moral deterioration throughout the free world. This moral deterioration does not occur through evolutionary change in human thought, but rather from the relentless war being waged by a fifth column within the ranks of every free society.

Threat to World

This is a far greater threat to the free world than is the advance of predatory force. Its very purpose is to destroy faith in moral values, to introduce cynicism in human thought and to transform tranquility into confusion, disorder and dismay. Our own people harbor a strong spiritual urge in their hearts, but many leaders have become absorbed in the demands of political expediency, are not unwilling to compromise moral principle and have lost the traditional American patriot's touch. Such a leadership offers no panacea for freedom's festering wounds.

My correspondence reflects a growing lack of faith by a large segment of our population in the responsibility and moral fiber of our own process of government. Truth has ceased to be keystone to the arch of our national conscience and propaganda has replaced it as the rallying media for public support. Corruption and rumors of corruption have shaken the people's trust in the integrity of those administering the civil power. Government has assumed progressively the arrogant mantle of oligarchic power as the great moral and ethical principles upon which our nation grew strong have been discarded or remolded to serve narrow political purposes.

The cost of government has become so great and the consequent burden of taxation so heavy that the system of free enterprise which built our great material strength has become imperiled. The rights of individuals and communities have rapidly been curtailed in the advance toward centralized power and the spiritual and material strength, amassed through our original concept of a federation—erected upon the local responsibility and autonomy of its

several components—shows marked deterioration. Possibly these adverse factors account for our inability to advance a vigorous and courageous leadership at a time when the world never more needed such a leadership. Whatever the cause the facts are undeniable. Our prestige abroad has reached a tragically low ebb and our leadership is little wanted.

There are those who call piously for unity even while doing so much to prevent unity. Unity is indeed what all Americans earnestly desire—but unity of the American brand based upon considered judgment on what best serves the national interest and reflecting full freedom of thought and expression — not unity obtained through the whiplash of arbitrary power, with its devices for sowing fear and suppressing knowledge. Unity instead must come from the common effort to crystallize ideas and search for and publish the truth.

Views Distorted

What arrogant prevarication by those who, joining with the voice of the Daily Worker and other Communist propaganda, claim I favor war or that I seek war's expansion. Every step I have taken, every word I have uttered, had the single purpose of bringing the war to its earliest end — to stop the terrific human slaughter now going on so endlessly in Korea. Before committees of the National Congress, in response to recent questioning, I had this, in effect, to say:

No man in the world is more anxious to avoid the expansion of war than I. I am a 100 per cent disbeliever in war. The enormous sacrifices that have been brought about by scientific methods of killing have rendered war a fantastic and impossible method for the solution of international difficulties. In war, as it is waged now, with the enormous losses on both sides, both will lose. It is a form of mutual suicide; and I believe that the entire effort of modern society should be concentrated on an endeavor to outlaw it. This would probably take decades before it could be actually accomplished: But, you have to make a start.

There is no half-way substitute. And, the sooner we come to grips with the basic problem the sooner we will reach a solution — it is no more difficult to settle the fundamental issue than it is the various problems

that are corollary to it. The world should have common sense enough, when it surveys the last two wars, to understand that war has become incompatible with the survival of modern civilization. Time is running out on us. We have had our last chance, and I believe firmly that 99 per cent of the people of the world agree. It is the establishment of the mechanics for its abolition that is so difficult.

It is there our leaders fail us — they lag behind the hope and belief of the masses. I understand thoroughly that no one nation is going to put such a concept into effect until the others do so—at least until all the other great nations agree. They could, however, set the norm. If the four or five stronger countries do so, it would be impossible for anyone else to violate the code. Pass such a legislative fiat making it conditional upon the others doing so and you will thus take the moral leadership of the world.

Cynical Silence

From those who so bitterly assail me there has been no word of response—only cynical silence—only the hypocrisy of pretence—only the constant flow of slanted propaganda. They are the real warmongers—they who refuse to end the Korean war—they who advocate "wait and see" while American blood—not dust as they would have it—settles in growing pools around the thirty-eighth parallel.

I am appearing before you without public responsibility, as a citizen of the republic who, after long absence abroad, has returned from the scene of our nation's spiritual as well as military campaigns in the Far East. Certain definite impressions have been made upon me—I am concerned for the security of our great nation, not so much because of any potential threat from without, but because of the insidious forces working from within which, opposed to all of our great traditions, have gravely weakened the structure and tone of our American way of life.

I am concerned over the moral degradation which will be ours in the aftermath of our failure fully and firmly to support the forces we have committed to battle in Korea, and to fulfill the obligation of protection we assumed when we accepted that unhappy nation's defense. I am con-

cerned over the position publicly taken by some of our leaders, for the first time in American history, that we are not prepared if necessary to defend ourselves. If we become actuated by fear—if we endeavor to obtain converts to policies resting upon fear through the spread of fear by propagandizing our own destruction, so long will we have that fear to contend with and to threaten us.

This great nation of ours was never more powerful—never more prepared to extend a dynamic and courageous leadership to guide the world through the morass of artificially created timidity, complexity and indecision—it never had less reason for fear. It was never more able to meet the exacting tests of leadership in peace or in war, spiritually, physically or materially. As it is yet unconquered, so is it unconquerable. Its history still lies ahead. Our finest hours are yet to come.

Let us regain some of the faith of the architects who charted the course to our past greatness. Let us look up as befits the most powerful nation on earth, both spiritually and physically. Let us tell all that while firmly and invincibly dedicated to the course of peace, we will not shrink from defending ourselves if the alternative is slavery or some other form of moral degradation. Let us proudly reassume our traditional role of readiness to meet and vanquish the forces of evil at any time and any place they are hurled against us. Let us make clear our eagerness to abolish the scourge of war from the face of the earth just as soon as others are willing to rise to so noble a stature with us. Let us renew our reverence for the blood for our sons and strike with all the power we can mount to support and protect those who now fight our battle in distant lands. And above all else let us regain our faith in ourselves and rededicate all that is within us to the repair and preservation of our own free destiny.

At the conclusion of the address by General Douglas MacArthur, Governor Shivers presented Mrs. MacArthur and his son, Arthur MacArthur, to the Joint Session.

The President of the Senate announced the purpose of the Joint Session concluded and declared the Senate adjourned.

APPENDIX**Interim Committee Appointments**

The President of the Senate made the following interim committee appointments on the part of the Senate:

Texas Legislative Council

Senators Rogers Kelley, George Moffett, Mrs. Neveille Colson, Wardlow Lane, Joe D. Carter.

Committee on Revision of Corporation Laws (H. C. R. No. 40)

Senators Searcy Bracewell, Dorsey

B. Hardeman, Rogers Kelley, Crawford C. Martin, Walter Tynan, Carlos Ashley, Wardlow Lane.

Texas Commission on Interstate Cooperation

Senators Jep S. Fuller, George Parkhouse, Walter Tynan, Carlos Ashley, Gus Strauss.

Legislative Budget Board

Senators Ottis E. Lock, Keith F. Kelly.

In Memory of
Furman L. Wolf

Senator Aikin offered the following resolution:

(Senate Resolution 308)

Whereas, God in his infinite wisdom has called from our midst, Furman L. Wolf, of Clarksville, Texas; and

Whereas, Mr. Wolf was one of the outstanding citizens of Red River County, and of this State; and

Whereas, He had contributed much to his community and to his State through his active interest in civic affairs; having been the head of the Chamber of Commerce, as well as many of its important committees; and an active Rotarian, as well as all other undertakings for the betterment of the community in which he lived; and

Whereas, He was held in high esteem, not only in his own community, but throughout the State of Texas, by those in his field of business, the motion picture industry; and

Whereas, During his lifetime he established a permanent place for himself in the hearts of those who lived and worked with him; and

Whereas, He lived honestly, well, and courageously. His genial personality will long be remembered by his friends and acquaintances; now, therefore, be it

Resolved, That we extend to the members of his family our sincere sympathy on his passing, and that when the Senate adjourns today, we do so out of respect to the memory of Furman L. Wolf.

AIKIN

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Reverend Everett Scott

Senator Phillips offered the following resolution:

(Senate Resolution 309)

Whereas, The Divine Creator of Man called to his Heavenly Reward Reverend Everett Scott, at the age of forty-five; and

Whereas, We realize that we must yield to the inscrutable ways of Providence and bow to the will of Him who doeth all things well; and

Whereas, Everett Scott, a former employee of the Freeport Sulphur Company, entered the ministry and was ordained to preach by the First Baptist Church of Clute, where he was also pastor; and

Whereas, The Temple Baptist Church of Texas City was organized through his energetic work and leadership in 1949; and

Whereas, His untimely death has brought sorrow to his hundreds of friends and admirers; and

Whereas, He is survived by his wife and three daughters, his mother, three brothers and five sisters; and

Whereas, It is the desire of the Senate of Texas to recognize and pay tribute to useful life of this man who never shirked his responsibility and placed his duty to his God, his country, his state and his community on the highest plane; and

Whereas, It is the desire of the Senate of Texas to express sympathy to the survivors of Reverend Everett Scott; now, therefore, be it

Resolved, That we express to the members of the family of the deceased our sincere sympathy; that a copy of this resolution be mailed to each member of his family; that a page be set aside in the Senate Journal in his memory; and that when the Senate adjourn today, they do so in respect to the memory of Reverend Everett Scott.

PHILLIPS

The resolution was read and was adopted by a rising vote of the Senate.

**SUMMARY OF EXPENDITURES
OPERATING EXPENSES AND CAPITAL OUTLAY**

April 1, 1950 to August 6, 1951

		11-16-1950 to 8-6-1951	4-1-1950 to 11-15-1950
Operating Expenditures:	Total		
Supplies	\$19,360.17	\$18,536.14	\$ 824.03
Postage	10,151.80	10,001.80	150.00
Telephone and Telegraph.....	21,305.35	18,285.71	3,019.64
Express	181.48	131.76	49.72
Printing of Journals.....	14,954.29	12,103.34	2,850.95
Rentals of Typewriters, etc.....	3,344.30	3,344.30	
Repairs	9,381.88	7,488.13	1,893.75
Porter's Supplies	2,300.12	1,642.35	657.77
Inaugural Expense (Senate's Part).....	212.50	212.50	
Miscellaneous	1,215.88	904.38	311.50
Total Operating Expenditures....	82,407.77	72,650.41	9,757.36
Add Supplies and Stamp Inventories—			
Beginning	1,576.80	1,347.36	1,576.80
Deduct Supplies and Stamp Inventories—			
Ending	2,002.93	2,002.93	1,347.36
Total Operating Expenses.....	81,981.64	71,994.84	9,986.80
Capital Expenditures:			
Furniture and Miscellaneous Supplies..	8,117.50	7,956.99	160.51
Total Capital Expenditures.....	8,117.50	7,956.99	160.51
Total Capital Outlay and			
Operating Expenses	\$90,099.14	\$79,951.83	\$10,147.31

SUMMARY OF SUPPLIES

For the Period from April 1, 1950 to August 6, 1951

		11-16-1950 to 8-6-1951	4-1-1950 to 11-15-1950
Supplies Inventory—Beginning	Total \$ 978.61	\$ 986.82	\$ 978.61
Add Purchases	19,360.17	18,536.14	824.03
Total to be Accounted for.....	20,338.78	19,522.96	1,802.64
Less Issues	19,167.16	18,349.32	817.84
Balance	1,171.62	1,173.64	984.80
Supplies Inventory (per count).....	1,168.49	1,168.49	986.82
Over or Short*.....	\$ 3.13*	\$ 5.15*	\$ 2.02

SUMMARY OF STAMP ACCOUNT

For the Period from April 1, 1950 to August 6, 1951

		11-16-1950 to 8-6-1951	4-1-1950 to 11-15-1950
Stamps on Hand—Beginning.....	Total \$ 598.19	\$ 360.54	\$ 598.19
Add Purchases	10,151.80	10,001.80	150.00
Total to be Accounted for.....	10,749.99	10,362.34	748.19
Less Issues	9,915.50	9,528.00	387.50
Balance	834.49	834.34	360.69
Stamps on Hand—Ending (per count)....	834.44	834.44	360.54
Over or Short*.....	\$.05*	\$.10	\$.15*

ANALYSIS OF SUBSIDIARY LEDGER ACCOUNTS—April 1st, 1950 through August 6th, 1951

	April 1st, 1950 to November 15th, 1950				November 16th, 1950 through August 6th, 1951			
	Supplies	Telephone and Telegraph	Stamps	Totals	Supplies	Telephone and Telegraph	Stamps	Totals
Aikin, A. M., Jr.		\$ 288.30		\$ 288.30	\$ 77.49	\$ 457.83		\$ 535.32
Ashley, Carlos					98.54	256.87		355.41
Bell, John J.		4.14		4.14	313.84	504.71		818.55
Bracewell, Searcy		.50		.50	212.57	552.54		765.11
Bullock, Pat					163.50	299.18		462.68
Carney, Howard A.					580.69	509.95		1,090.64
Carter, Joe D.					355.09	347.05		702.14
Colson, Mrs. Neveille H.		1.50		1.50	251.79	290.91		542.70
Corbin, Kilmer B.	\$ 9.92	3.45		13.37	672.49	785.95		1,458.44
Fuller, Jep S.					520.85	396.20		917.05
Hardeman, Dorsey B.	11.12			11.12	189.07	340.78		529.90
Harris, Fred Red.		.75		.75				.75
Hazlewood, Grady		7.78		7.78	157.97	924.89		1,082.86
Hudson, Hill D.	62.05	10.65		72.70	366.44	607.02		973.46
Jones, Charles R.	.80			.80				.80
Kelley, Rogers	16.00	5.70		21.70	537.29	1,375.14		1,912.43
Kelly, Keith F.					365.14	565.36		930.50
Lane, Wardlow	44.25	178.95		223.20	129.71	376.13		505.84
Lock, Ottis E.		.70		.70	404.37	283.43		687.80
Martin, Crawford C.					408.78	262.92		671.70
McDonald, Warren		5.30		5.30	949.01	633.29		1,582.30
Moffett, George	45.80	56.35		102.15	414.66	446.26		860.92
Moore, William T.					170.55	634.87		805.42
Morris, G. C.	30.20	1.91		32.11				32.11
Nokes, George O., Jr.	6.00			6.00	453.86	395.08		848.94
Parkhouse, George					539.69	1,247.05		1,786.74
Phillips, Jimmy		8.00		8.00	2,230.89	1,031.62		3,262.51
Russell, Joe					362.58	362.49		725.07
Shofner, W. A.	43.66			43.66	209.02	350.77		559.79
Strauss, Gus J.					112.44	213.21		325.65
Tynan, Walter	84.05	.55		84.60	71.15	128.40		199.55
Vick, Kyle	2.00			2.00	193.67	318.43		512.10
Wagonseller, Wayne W.					556.29	257.62		813.91
Weinert, R. A.					83.60	152.85		236.45
Total for Members	\$ 355.85	\$ 574.53		\$ 930.38	\$12,153.03	\$15,308.80		\$ 27,461.83
Lt. Governor Ramsey					\$ 421.57	\$ 920.37		\$ 1,341.94
Lt. Governor Lane	\$ 134.41	\$ 597.11	\$ 104.00	\$ 835.52				
Secretary of the Senate	295.21	1,736.84	276.00	2,308.05	863.20	1,468.96		2,332.16
Sergeant-at-Arms	4.46	39.28	7.50	51.24	509.11	317.06		826.17
Calendar Clerk		71.88		71.88	69.36	123.21		192.57
Enrolling and Engrossing Room					1,051.54	51.92		1,103.46
Post Office					16.10	49.07		65.17
Journal Clerk	.24			.24	43.97			44.21
Mailing Room	2.14			2.14	3,219.91	46.32		3,266.23
Senate Hostess	.75			.75	1.53			2.28
Supplies Charged Off	24.78			24.78				24.78
Totals Lt. Governor and Departments	\$ 461.99	\$ 2,445.11	\$ 387.50	\$ 3,294.60	\$ 6,196.29	\$ 2,976.91		\$ 9,271.51
Total Issues	\$ 817.84	\$ 3,019.64	\$ 387.50	\$ 4,224.98	\$18,349.32	\$18,285.71		\$ 36,635.03